

STATEMENT OF PURPOSE

RS20522

This legislation addresses the disparity that makes five of the State's seven constitutional offices the only agencies in state government that have no ability to use legal services outside the Attorney General. Under current law, the legislative and judicial branches and the Governor each have the ability to utilize outside legal services, rather than the Attorney General's office. In addition, the Governor has the ability to issue a finding that allows any executive branch agency under the Governor to utilize legal services outside the office of the Attorney General. This leaves the five other constitutional officers (Lieutenant Governor, Secretary of State, State Treasurer, State Controller, and Superintendent of Public Instruction), as executive branch agencies outside the control of the Governor, with no legal ability to utilize legal services outside the Attorney General.

FISCAL NOTE

No fiscal impact. If a constitutional officer chooses to utilize legal services from outside the Attorney General's office, the funds used to do so would be the funds that they are currently paying for Attorney General services. The necessary FTP authorization could also be transferred from the authorized positions in the Attorney General's budget that currently serve as the legal counsel for other constitutional officers.

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